IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 972(S/S)2007

Shyam Lal Singh S/o Sri Atar Singh,
Resident of Dhampur Shiv Nagar,
Nagina Road, Dhampur. -----Petitioner.

Vs.

1. Assistant General Manager,
   Bank of Baroda, Regional Office, Haldwani,
   District Nainital,
2. Bank of Baroda, Branch Nadehi,
   District U.S. Nagar,
   Through its Branch Manager,
3. Bank of Baroda, Branch Kabirganj,
   District Pilibhit (U.P.),
   Through its Branch Manager. ---Respondents.

Ms. Geeta Parihar, Adv. and Ms. Vijay Laxmi, learned counsel for the petitioner.
Sri Siddhartha Sah, learned counsel for respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Ms. Geeta Parihar, Adv. & Ms. Vijay Laxmi Phartyal, learned counsel for the petitioner and Sri Siddhartha Sah, learned counsel for the respondents.

This writ petition has been preferred by the petitioner for quashing of the impugned transfer order dated 11.07.2007 (annexure no.1,) passed by Assistant General Manager/ respondents' no. 1 by which the petitioner who is working with the respondents' establishment in the capacity of CCO (Computer Operator-class-III post) has been transferred to Kabirganj Branch in District Pilibhit on administrative ground.

The petitioner has further prayed to issue direction commanding the respondent to allow the petitioner to work at Nadehi Branch of Bank of Baroda.

The transfer order has been challenged on various grounds such as; that the Government Order dated 15.11.1976 provides that the husband and wife if are Government servants, as far as possible, they should be placed at one place; that petitioner's wife who is a police constable in Police Station Dhampur is pregnant and according to the medical report her case is complicated; and lastly the petitioner has already moved a representation before the respondent no.1 requesting therein that if transfer is compulsory, rather transferring his to Kabirganj-Pilibhit he may be posted in one of his choice places opted by him i.e. Sherkot, Syohara or Nagina in the district Bijnore, for which he will not claim any expenses.

The petitioner, raising all his grievances, has already moved representation (annexure no.4 to the writ petition, which is undated) before respondent no. 1 i.e. Assistant General Manager Bank of Baroda, which is still pending before him. During the course of arguments learned counsel for the petitioner has submitted that the respondent no.1 may be directed to take decision on his representation, pending before him within the period prescribed by this Court.

The prayer is innocuous.

Accordingly, the respondent no. 1 is directed to take decision on the representation of the petitioner (contained as annexure no. 4 to the writ petition) sympathetically, within a period of two weeks from the date of production of a certified

copy of this order. The petitioner is directed to produce a certified copy of this order before respondent no.1 within a week from today.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

July 27, 2007:
NCM: